IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI.WRIT PETITION NO.284 OF 2002

M/s.Sheth Investment Pvt.Ltd
and Ors. .. Petitioners

Versus

Kotak Securities & Anr. .. Respondents

Mr.N.B.Amin i/b. A.S.Khandeparkar for petitioners
Mr.K.V.Saste, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J
DATE : 20th April, 2007.

P.C.

. This petition under Article 227 of the Constitution of India read with Section 482 challenges an order dated 16th July 1997 delivered by the learned Additional Chief Metropolitan Magistrate in case No.1264/S/1997. The order is below an application praying for recalling of process issued on a complaint alleging offences punishable under section 138

read with 141 of the N.I. Act. Mr.Amin appearing for petitioner states that the amounts under the cheques have been paid and now there is full and final settlement between parties. He relies upon an order dated November 1, 2006 in Criminal Appeal No.850 of 2000 of the Supreme Court which records the compromise arrived at between parties and the terms of settlement clearly provide that all proceedings including the criminal complaint pending between parties would come to an end.

2. In the light of this statement nothing survives in this petition and it stands dismissed for want of prosecution. Copy of the proceedings before the Supreme Court is taken on record.

(S.C.Dharmadhikari, J)